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ABSTRACT

This document contains a summary of proceedings of a conference convened June 12-14, 2002, to discuss special education paperwork and to explore ways to reduce paperwork. Participants reacted to and built upon information regarding paperwork from several sources, including a survey of state directors on special education paperwork; a survey on state-developed special education forms; data from teachers collected as part of the Study of Personnel Needs in Special Education; and information gathered from teachers by the National Education Association. Following an overview of the data and small group discussions, the forum made the following recommendations: (1) examine statutory language around the ability of schools to use credible evaluations provided from outside; (2) permit Individualized Education Program (IEP) addendums at times other than annual review, thus allowing parents and teachers to make changes other than placement; (3) fully integrate post-secondary transition planning into the IEP process and plan to reduce separate forms; (4) add language in the Individuals with Disabilities Education Act (IDEA) that requires Medicaid to accept IDEA documentation as adequate; (5) develop or support the development of family-friendly documents; and (6) develop model forms and guidance that meet requirements of IDEA around the special education decision-making process. (CR)

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ED 471 944

Policy Forum

Special Education Paperwork

Convened
June 12-14, 2002

Proceedings Document
October 2002

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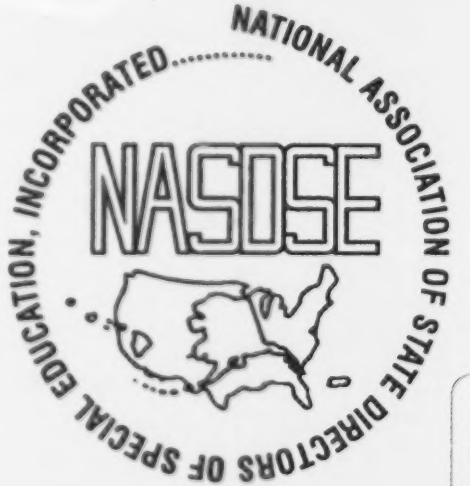

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IDEAs that Work

U.S. Office of Special Education Programs

Policy Forum

Special Education Paperwork

Convened
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Proceedings Document

October 2002

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Background and Purpose of Meeting

Project FORUM at the National Association of State Directors of Special Education (NASDSE), through its cooperative agreement with the U.S. Department of Education's Office of Special Education Programs (OSEP), facilitates communication among a broad range of stakeholders on critical issues and obtains input on topics related to improved outcomes for children and youth with disabilities. One method Project FORUM uses to facilitate communication and obtain input is convening policy forums or meetings on designated topics agreed upon with OSEP.

The policy forum entitled *Special Education Paperwork* was jointly convened by Project FORUM and NASDSE[1] to obtain input from state directors of special education, service providers, parents, advocates and other stakeholders on the topic of special education paperwork and to explore ways to reduce paperwork. Participants reacted to and built upon information regarding paperwork from several sources, including the following:

- NASDSE's survey of state directors of special education on the source of paperwork;
- Project FORUM's survey on state-developed special education forms;
- Data from teachers collected as part of OSEP's Study of Personnel Needs in Special Education (SPeNSE); and
- Information gathered from teachers by the National Education Association (NEA).

The goal of this meeting was to generate recommendations for reducing paperwork without sacrificing accountability and procedural safeguards.

Preparation for the Policy Forum

Project FORUM and NASDSE worked closely with OSEP to select participants whose knowledge of, and experience in, the field of special education would contribute to accomplishing the policy forum's goals. Knowing that the interpretation of the Individuals with Disabilities Education Act (IDEA) varies widely across the country in practice and perception, effort was made to select persons with different state and district perspectives. Invited participants included state directors of special education and other state education agency (SEA) staff, a superintendent, teachers, parents, and representatives from advocacy groups and national organizations concerned about special education paperwork. The participant list can be found in Appendix A. Project FORUM and NASDSE developed the policy forum agenda, in collaboration with OSEP, to accomplish the goals of the meeting. The agenda can be found in Appendix B.

Overview of the Policy Forum

The policy forum was held in Alexandria, Virginia on June 12-14, 2002. The opening session began with a dinner on Wednesday evening, June 12. Bill East, NASDSE Executive Director;

[1] Costs for this policy forum were shared by Project FORUM and NASDSE.

Lou Danielson, Director, Research to Practice Division, OSEP; Stephanie Lee, Director, OSEP and Joy Markowitz, Project FORUM Director, made opening remarks. After participants introduced themselves, Marilyn Crocker, the meeting facilitator, concluded the evening by having the participants respond to the homework questions given to the participants prior to the meeting.

Continuing on Thursday morning, June 13, Elaine Carlson, Senior Research Analyst from Westat and Eileen Ahearn, Senior Policy Analyst with Project FORUM, gave presentations on data from the SPeNSE study and FORUM's survey on state-developed special education forms, respectively. Participants spent the remainder of Thursday and Friday morning engaged in small group activities and large group discussions. The concluding task for participants was indicating their individual support or opposition to specific recommendations developed by the small groups. Bill East and Stephanie Lee closed the meeting with concluding remarks.

A summary of each presentation and participant discussions follow. During this policy forum, many themes and topics reoccurred throughout group discussions. Although these reoccurring themes and topics are repetitive in this document, they reflect the process participants engaged in to ultimately develop a set of recommendations.

Opening Remarks

Bill East, Executive Director, NASDSE

The purpose of this policy forum is to develop recommendations for reducing unnecessary paperwork in special education while maintaining accountability, procedural safeguards, and parental involvement. My career as an advocate for people with disabilities and their families has spanned 30 years. I have worked too hard to secure services and protections for children with disabilities and their families to do away with these in the name of paperwork. However, during my long career, the focus of our work has changed from access to services to accountability for results. I'd like you to consider two questions as we begin this forum:

1. Do we need the same paperwork and process in 2002, the "results age," as we did in the "access age" of 1975?

2. How do we ensure participation of students with disabilities in the general education curriculum, assessment and accountability systems with the same process tools we used 30 years ago?

As I think about the issues around paperwork, I am reminded that teachers and students are the most important part of education. We need a certain amount of paperwork to implement special education programs. The problem is when paperwork takes away from time on task. Teaching to high standards is what our teachers should be doing with their time. The challenge for us in this forum is to see if we can use our collective genius to increase time on task by reducing process and paperwork barriers.

The data tell us a disturbing story. The number of students who need our help is increasing while the teacher shortage is getting worse. We have to ask ourselves, why are our special education teachers leaving the field at such an alarming rate? Process and paperwork are keeping them from their passion---teaching! One of the most common reasons teachers give for leaving special education is the burden of paperwork.

One failed approach to address the paperwork problem is to assess the blame. If we need to look at blame, I think it's everybody's fault. Some parents think process and paper will yield student performance; Congress wants to legislate success; OSEP wants to help by clarifying through regulation and guidance; states want to justify the funds they get by focusing on process compliance; local school districts want to document to protect themselves from all of the above; and teachers just want to teach. With the upcoming reauthorization of IDEA, members of Congress want to know what should be done with the complaints about paperwork. Some solutions may lie in the statute, but I also believe that we can identify good common practices to address the problem. I thank you for your participation in the important work of this forum.

Lou Danielson, Director, Research to Practice Division, OSEP

We are fortunate that in addition to the IDEA Part B program that provides resources to states, we have Part D that provides resources for work like that of Project FORUM, as well as resources that support special education research.

In preparation for the upcoming reauthorization of IDEA, we are working hard to ensure that we have some data about paperwork. One of the problems we had during the last reauthorization was limited data to answer questions about discipline and students with disabilities. This was true in many areas, so since the last reauthorization we have been conducting large-scale studies to meet the need for data and information. One of these studies is on personnel needs in special education, including issues related to paperwork. Tomorrow, Elaine Carlson from Westat is going to present some of these findings.

We do know that paperwork is a complicated issue. In our initial attempt to study paperwork, we saw a lot of variation across the country in the amount of paperwork that teachers report. Also, some teachers indicated that paperwork is a problem, whereas others reported it is not. Using the currently available data, we have been unable to account for the variation in reported amount and perceived burden of paperwork. As a follow-up, we are planning to interview a sample of 2,500 teachers to get better understanding of this issue and the variation across the country. We hope that the discussion about paperwork, as we move through reauthorization, will not be based on anecdotal information.

Stephanie Lee, Director, OSEP

Thanks to all who arranged and are hosting this meeting. I want to talk a minute about the nature of the challenge before you the next few days. When Dr. Pasternack testified before Congress recently, he described the difficulties with paperwork---- the negative impact it is having in the schools including exacerbating the shortage of special education teachers. All of the Senators seemed to agree that there is a paperwork problem. Speakers at the IDEA Forums hosted by

Dr. Pasternak and those who commented in response to the federal register notice have said the same thing. However, we have received very little in the way of specific recommendations on how to address the paperwork problem. The challenge to this group is to help identify what is creating the paperwork problem and what can be done about it.

We need to keep in mind President Bush's four pillars of education reform as we discuss this issue: improving accountability for results, focusing on what works, promoting parental empowerment, and reducing unnecessary paperwork while promoting local flexibility. The need is to identify the specific problems but also to identify answers and to think creatively about ways we can do things better. We need to make improvements for students, teachers and schools while protecting children and parents' rights. For example, we might want to think about the extensive notices in "legalese." Are there ways to provide the notices less frequently or in a more targeted manner and in a more understandable format?

In addition to the questions Bill mentioned, I think there are others we need to consider over the next couple of days:

1. What is the specific paperwork problem being discussed? Is it generated at the federal level, the state level or the local level?
2. What is the purpose of the paperwork? What is it meant to accomplish?
3. If the paperwork is doing something that needs to be done, are the right people doing the paperwork and are they properly trained to do it?
4. What other factors play into the paperwork issue, such as administrative support and caseload issues?
5. Can we accomplish the same thing with less paperwork? Can technology help? Are there good models that accomplish what we want? How can OSEP help identify best practice models? Are there things that should be reduced or eliminated?

Thank you for being here and being a part of this.

Responses to "Homework Assignment"

As part of the opening session, participants gave their responses to two "homework questions" distributed in advance of the policy forum. This activity was designed to launch the discussion on the topic of special education paperwork by providing an opportunity for participants to voice their concerns about paperwork issues and share possible solutions. There was no discussion of these issues at this time. The statements below are not verbatim responses; however, they reflect the array of statements made by individual participants.

1. What is your one greatest concern/issue related to special education paperwork?

Teachers/ Staffing / Administrative Issues

- New special education teachers and the daunting nature of all the responsibilities – many are not fully certified and endorsed and there is a lot they need to learn on the job. Paperwork is very significant and sidetracks them from attention to students.

- Paperwork is driving skilled and dedicated teachers from the profession; some hesitate to enter the profession because of the paperwork burden.

- The paperwork burden is not acknowledged as part of what special education teachers and related services personnel do and no clerical assistance is offered.

- While teachers are doing paperwork, aides are with the kids and this is often not adequate. Any time we steal quality time of a teacher from kids, we are cheating them. This needs to be managed at the local level.

- The real issue is lack of preparedness. We see that special education and general education teachers are not prepared adequately to handle the range of learners they have today.

- The initial process for determining eligibility for special education is especially overwhelming.

- Building administrators may not be fully informed about special education requirements and therefore time scheduled/available to do paperwork is inadequate.

- It is not just paperwork – it is everything associated with it – meetings, re-writing an individualized education program (IEP) for the smallest change, etc. These special education administrative tasks are time consuming.

- What do we mean by the "paperwork" issue? How is it possible to have generated such a reaction when the term "paperwork" has yet to be defined? This creates a problem for discussion. We need definitions and clarification.

Variability and Duplication

- Paperwork can be so different from school to school – it should be the same everywhere.

- Duplication of paperwork is problematic – different forms that include the same information.

- If I know what I am supposed to do, then I can do it. But, just when you think you have it figured out, it changes. New procedures bring frustrations.

Usefulness and Connection to Instruction

♦IEPs have not become living documents that are meaningful to parents and teachers. They are massive compliance documents that have lost their vitality and usefulness for program improvement.

♦There is a lot of non- and counter- productive paperwork. Having clerical staff do it is not always the right answer – if it is non- productive, no one should be doing it. Some is productive, but some is not.

♦We have to be careful about preconceived notions. We are talking about the things that teachers spend their time doing that are aversive to them, perceived as unnecessary, something they should not have to do and that steals instructional time.

♦A 77 page IEP does not always mean that something good happens for the student.

♦The original purpose of the IEP meeting—to jointly prepare an educational plan for a child—has been lost.

♦There is a difference between paperwork and documentation. Duplication is what makes teachers crazy, but they are not complaining about documenting what the child needs or is getting.

♦In some cases, general education teachers are doing the same amount of paperwork as special education teachers, but it is perceived as instructionally relevant whereas special education teachers see theirs as purely for compliance.

Parental Involvement / Procedural Safeguards / Compliance with IDEA

♦We need to continue to focus on the protections for our children—parents and teachers share a common goal – one person's paperwork is another's safeguards. I think our needs are more similar than different and we need to discuss them carefully.

♦The law has displaced the child. For example, educators attend many conference sessions on how to avoid lawsuits, but sessions on instructional issues, such as reading, are usually empty.

♦Parents get a copy of procedural safeguards when they enter the system. Families say it is not necessary to send them out again every time a notice is mailed or given to parents. The frequent distribution of procedural safeguards gives the impression of an adversarial relationship.

♦With some of the suggestions to reduce paperwork being discussed, a parent's ability to be a fully functional member of the IEP team will be reduced.

♦A concern is the public perception that if all the paper looks "neat" and is in order, everything is okay.

♦More paperwork is created to cover what happens as a result of a hearing.

♦It isn't about the paperwork – it's about what the paperwork was intended to do. But, the paperwork has become isolated because of legal concerns.

♦My fear is that we will meddle around the edges – the purpose of the law is to give services to the children.

♦How to reduce excessive focus on procedural compliance, which results in preoccupation with paperwork, so that special education teachers can spend more time with students and general education teachers, while ensuring compliance with IDEA.

Not Enough Solutions

♦There are too few solutions for the number of complaints/concerns about paperwork.

♦If we do not come up with some answers, it will be done for us and it will hurt kids.

♦My greatest fear is that we will try to find some simple solution—we must look at the complexity of the issue.

2. What is one example of a novel, innovative or unusual process, procedure or practice that has reduced paperwork while improving results for children with disabilities?

Examples Related to Staffing

♦Adequate staffing levels and appropriate delegation of tasks.

♦The use of educational personnel who are not assigned to the classroom in order to assist with paperwork and the monitoring of timelines.

♦In one example, a speech therapist was hired to do all of the administrative work – scheduling, sending out notices, etc. with the help of a clerical person. This enabled the other speech therapists to concentrate on kids and their needs.

♦Hiring more clerical staff at key times of year to assist with scheduling, copying and mailing related to IEP meetings.

Examples Related to the Usefulness and Connection to Instruction

♦We need to be sure paperwork serves a purpose; the focus of the work needs to be the success of the child.

♦Making paperwork more relevant by using the IEP as an instructional tool – for example, an "IEP at a glance" highlights instructionally relevant information.

♦Communication with parents prior to IEP meeting through phone and/or email – a lot of understanding is clarified ahead of time to allow the IEP to be a teaching tool and not a compliance document.

♦Identify and publish models for combining IEP writing with accountability, such as connecting objectives to portfolios.

♦We need to think of things already in the law that are not being utilized.

Examples Related to Service Delivery

♦Some communities have started to offer services based solely on need – without referral to special education.

♦LRE prototypes that lead to fruitful discussions at the team level.

Examples related to the IEP and Other Forms

♦Multi-year IEPs for some students.

♦Model forms from states.

♦Using state IFSP/IEP form as a template for data entry; also serves as a management tool.

♦Reducing the frequency of giving parents a copy of their parents' rights.

Examples Related to Technology

♦Using technology for virtual meetings.

♦Database of goals and objectives to use when writing an IEP.

♦Using computer and projection screen at IEP meetings so that "paperwork" is done on the spot and in view of the entire team. Print out before meeting adjourns.

♦Providing electronic forms on LEA's website for easy access.

♦More funding is needed to support use of technology that would reduce paperwork burden. Teachers should not be handwriting IEPs!

Overview of Data from SPeNSE
Elaine Carlson, Senior Study Director, Westat

The Study of Personnel Needs in Special Education (SPeNSE) was designed to address concerns about nationwide shortages in the number of personnel serving students with disabilities and the need for improvement in the qualifications of those employed. It included personnel from a nationally representative sample of districts, intermediate education agencies and state schools for students with vision and hearing impairments. Over 8,000 local administrators, preschool teachers, general and special education teachers, speech-language pathologists and paraprofessionals participated in telephone interviews.

Last fall, when paperwork rapidly emerged as an issue for reauthorization and people started looking for information, SPeNSE was an obvious place to look. However, the SPeNSE survey of special education teachers was not designed to focus specifically on paperwork and there were only two questions on this topic under working conditions. Therefore, the survey did not provide much data. The two paperwork items were:

1. How many hours per week do you typically spend completing forms and administrative paperwork outside of class time?
2. To what extent do routine duties and paperwork interfere with your job of teaching?

We found huge variation across teachers and regions. We do not know why there were regional differences. Some teachers were not bothered by paperwork while others were. It appears that teachers were saying that three hours of paperwork is tolerable but five hours is too much. This is informative data but extremely limited. (See Appendix C for a two-page Fact Sheet from SPeNSE or http://www.spense.org/Results.html.)

Using all of the data that we had from these teachers (e.g., caseload, years of teaching experience, disability status), we tried to explain the variance in the amount of time spent on paperwork. However, only 7 percent of the variance could be explained, despite the fact that a lot of other information was available about the respondents.

Then we went back for a closer look using small focus groups in different regions. The focus groups were composed of six to eight special education teachers at all levels and areas – a cross-section, although not a representative sample. Below are the questions asked during the focus groups and findings.

1. What was the most recent paperwork you did?

The most frequent response to this question was progress reports and report cards. Teachers discussed doing quarterly reports, interim reports and report cards each of the eight times a year they do them for general education students. Many of them had to update progress on IEP goals each time they did report cards or progress reports. Most found this process aversive because if they were using report cards they were continuously telling parents that their children were not meeting general education goals, despite the fact children were making process on IEP goals.

The second most frequent issue raised was IEPs – including notification letters, addressing envelopes, preparing draft IEPs before the meeting, and rewriting the IEP if there were changes. Teachers are often responsible for the logistical arrangements for IEP meetings, as well as the actual paperwork involved.

The third point teachers discussed was assessments and evaluations. Many teachers, especially in small districts, had responsibilities for doing evaluations for children referred to special education. Some teachers spend as much as one-third of their time doing evaluations. It appeared that, for many teachers, paperwork was burdensome if it is for a child that they are not yet responsible for, as in a referral or a child who was transferring from another district. Paperwork was much less disagreeable if it was for a child for whom they had responsibility.

There were other issues raised by teachers that varied by state. For example, in some states, Medicaid billing paperwork is very burdensome and must be done monthly, whereas in other states teachers don't do this at all. Some secondary teachers talked about documentation to allow the students to use accommodations on SATs and PSATs.

2. What makes paperwork bothersome?

Most teachers reported that not all paperwork is bothersome, just some of it. There was no consensus as to the most bothersome paperwork. However, relevance to instruction was paramount – paperwork that they could not tie to instruction was seen as a burden. One teacher said she kept detailed progress notes on each student's behavior, however she did not view this as burdensome because tracking students' progress is at the core of her job. Also, the amount of time spent on specific paperwork was a factor (e.g., attendance sheets were not viewed as burdensome since they are completed quickly). Every early childhood teacher involved said transition from Part C to B is incredibly time consuming and difficult because there are different forms and many different people, often from different agencies, involved in the process.

3. Describe your most recent IEP.

Teachers spent an average of six to ten hours on each IEP and meetings lasted two to four hours. There were individual district practices that contribute to the paperwork problem. For example, in some districts, any little change to an IEP requires a complete re-writing of the document. Many of these districts did not use computers for IEPs, so the teacher had to re-write the entire IEP by hand. There are some districts that do all their IEPs at the same time of the year, not on the child's birthday or anniversary of the IEP. In these districts, a student who enrolls in April has to have a completely new IEP in June. This is problematic in districts with high mobility.

4. Describe strategies that are helping with paperwork.

Checklists, especially as part of the IEP, are timesavers. Release time and the use of substitutes to give teachers time to complete paperwork are helpful. But no one knows how much time teachers are being pulled out of the classroom because of paperwork, leaving a paraprofessional or substitute in charge.

Access to technology is also an issue. In some districts, all teachers had a laptop that he/she used to write IEPs, whereas in other districts teachers write IEPs by hand. However, technology is not always reliable. The teachers reported that sometimes the IEP software does not work or the printer is down.

Some teachers selected students' goals from a list of IEP goals; others have such lists available, but did not use them. Some teachers found writing an IEP goal that was appropriate, meeting all the requirements of measurability, etc., to be difficult and time consuming. Others felt this was at the core of what they do and did not find it bothersome at all.

Most teachers felt it was very helpful to have training related to paperwork, especially with the constant changing of forms. Some felt that new teachers are totally unprepared and preservice training needed to improve. District resources for training were a factor and were variable across districts. Overall, there was remarkably little training provided to assist teachers with paperwork. They all thought that a standard, national IEP—not necessarily mandated—would be great.

One teacher said the question about how many hours spent on paperwork is not the right question – rather, how many hours would be needed to do all the required paperwork in the right way? Over time, you find out how to cut corners and compromise on the quality of the paperwork you are doing.

Next Steps for SPeNSE

A report on the focus groups was written as an internal document. From this information, a survey is being designed for a phone interview of special education teachers. The interview will include very pointed questions such as: What does paperwork mean to you? How do you get it done? Do you feel prepared and supported to do it? Do you have access to a computer? Can you make addendums to IEPs? What is your district's schedule to update IEPs? How much time is involved in report cards and reporting to parents? The plan is to conduct these interviews in the fall of 2002.

One of the SPeNSE goals is to be able to explain the variation in paperwork from person to person and place to place. Using the data we do have, we found the following were <u>not</u> predictors of perceived paperwork burden: years of experience; district poverty; district size; caseload; number of vacancies for special education positions; number of classes taught per week; and salary. Maybe "paperwork" is ill defined and every teacher has something different in mind when the term paperwork is used or perhaps all teacher unhappiness with his or her work is put under this umbrella called "paperwork."

State Special Education Forms – Survey Data

Eileen Ahearn, Senior Policy Analyst, Project FORUM at NASDSE

In Spring 2002, Project FORUM conducted a survey of state directors of special education on the development and use of mandated and recommended forms. All 50 states responded to the

survey. The survey listed 19 types of forms related to documentation requirements in special education laws and regulations. Respondents were asked to check one of four columns for each form to indicate whether the SEA: a) developed and *mandates* the form's use by districts; b) developed and *recommends* the form's use by districts; c) developed the form for district information only; or, d) has no state-developed form of that type. Instructions requested respondents to send a copy of the forms developed by the SEA or to provide a specific web address where a copy is available for download. Respondents were also asked to describe any other forms developed by the SEA that were not listed on the survey.

Although 23 states have developed one or more forms that are *mandated* for district use, the majority of states reported that they do *not* mandate the use of state-developed forms. The most frequently cited mandated form was the procedural safeguards notice. Other forms mandated in 10 or more states included the IEP form and secondary transition form. The only two forms that no state indicated were mandatory were behavioral intervention plan and request for an independent educational evaluation. Some states that recommend the use of forms require that LEAs submit any revisions for prior approval. Many states have some type of procedures manual, which is often very detailed and usually includes forms. Almost all states have at least some forms on their website. Some states provide translated versions of forms on their website, most frequently in Spanish.[2] Thirty-one states listed forms in addition to the 19 listed on the survey including: pre-referral forms; notice of IEP decisions about re-evaluation; annual review forms; surrogate parent forms, determination of disability forms; transfer of parental rights; and LRE documentation. Some states mentioned that their forms were in revision.

Specific state examples: North Carolina does not have any state-mandated forms, but they have developed a manual with recommended forms. Virginia has a large manual on conducting functional behavioral assessments. Texas recently redeveloped its recommended forms, which are now available on its website. These Internet resources provide an extensive legal framework for child-centered special education process, go into every aspect of managing the special education process from a paperwork perspective, include training materials and are designed for districts to develop their own forms.

The information from this survey is summarized in a QTA document now available on NASDSE's website http://www.nasdse.org/forum.htm.

Summary of Small Group Discussions

Overview

On Day Two of the policy forum, participants were assigned to one of four small groups, each targeting a different focus area: evaluation/assessment/progress reports/re-evaluation; IEP/programming/review and revision of IEP; transition (from Part C to Section 619, Section 619 to Part B and Part B to post-secondary); and procedural safeguard/due process. All groups were asked to discuss the four questions listed below, paying particular attention to their assigned focus area:

[2] Maryland has forms in 13 languages and Massachusetts in 16 languages.

1. What specific aspects of paperwork are causing concern?
2. What administrative systems are currently in place to address paperwork concerns and improve results for students with disabilities?
3. What are the essential components/functions of paperwork?
4. How is paperwork repetition and redundancy evaluated?

Ideas discussed across the groups were integrated according to different themes/topics and are summarized below. For questions (1) and (2), each group was asked to present five key points from their discussions to the large group. The key points "reported out" to the large group are presented in tables, according to specific themes/topics. Comments generated during the small group discussions, but not reported out to the larger group, are presented under "additional comments." Discussions on questions (3) and (4) only occurred in small groups and therefore are not summarized in table format.

Aspects of Paperwork Causing Concern (Question #1)

Aspects Causing Concern – Trust, compliance, informing instruction
Adversarial nature of some paperwork is based on a lack of trust – professionals being forced to prove their intention to help students.
Paperwork is overwhelming and too detailed, especially for new teachers; interferes with relationships with parents and ultimately with effective instruction.
Small incremental changes and demands of the system add up and have led to the increases in paperwork.
Rigidity and over-reliance on compliance through paperwork is problematic; emphasis should be on communication with parents including more flexibility and choice in how parents get information rather than one size fits all; particularly an issue for parents with diverse languages.
Purpose of special education processes (including evaluation, IEP, re-evaluation, transition planning) and the link to instruction is not always clear.
Evaluation information is not always easily accessible to parents.

Additional comments:

- Procedural safeguards must be in language of the home—this could be 30 or 40 languages in some LEAs.
- What is "informed" consent, especially for diverse families?
- Paperwork is daunting and intimidating to parents; it's difficult to balance the demand for precise language in law and parent/teacher friendly language
- Evaluation reports are not seen by teachers and don't always include functional capacity of student with suggested goals and objectives.

Aspects Causing Concern – Specific IDEA-related requirements
Disconnect and disruption in Part C to Part B transition results in extra paperwork and processes that have a negative impact on personnel. Post-secondary transition: • Separate transition planning meeting and/or form is not necessarily linked to instruction. • There are different requirements for ages 14 and 16. • Requirements are artificial and create a sense of separateness. Re-evaluations: • Triennial evaluations are not necessarily conducted at natural transition points for students and may not be relevant to instruction. • Mandatory evaluation to be dismissed from special education is interpreted as requiring a "test." Some of the requirements set up in the 1970s may no longer be relevant because of the new requirements now in place (e.g., parents will be getting information about their children as required under No Child Left Behind). Permissible flexibility is not used.

Aspects Causing Concern – Variability
Different accountability paperwork for different purposes (e.g., IDEA, Title I, Medicaid) creates disparity among staff and duplication. There is variability in requirements across states and LEAs in terms of forms and processes– some exceed federal requirements.

Additional comments:

- Paperwork is disproportionately high for certain specialists (e.g., related services providers).
- Determining eligibility and transferring IEPs across states and LEAs is difficult given variability.
- Paperwork standard for general and special education is different and not integrated (e.g., Title I requires less paperwork than IDEA).

Aspects Causing Concern – Staff responsibilities, limited resources and capacity
Lack of personnel support for non-instructional tasks, including scheduling IEP meetings, mailing notices, etc. creates challenges. False assumption that local resources and teacher time is unlimited. Inadequate access to technology by teachers to facilitate process and paperwork is problematic (varies across districts). Although teachers' time spent on the IEP process is important, it takes away from instructional time, leaving students with substitutes or paraprofessionals. Transition planning should not be the sole responsibility of the LEA. Documenting participation in standardized assessments and needed accommodations has been added to the special education process; although necessary, should this be a special education responsibility? Insufficient training for teachers (pre-service and professional development) to make the IEP instructionally relevant (e.g., linked to standards-based outcomes) is a concern.

Additional comments:

- Most technology to address paperwork is primarily for IEPs.
- Lack of support to acquire technology and expertise in using it at the LEA and school levels creates frustrations.
- Paperwork is presented at meetings and time must be taken to review it; the more complex the issues, the more potential for disagreements that lengthen meeting.
- Paperwork time is NOT accounted for in teachers' time, it's an "add on."
- Pre-referral activities should be a regular education function, not special education.
- General education teachers may feel burdened by participation in the IEP process.
- Technology may create extra pressure on teachers to keep current with grading, e-mail, etc.

Administrative Systems Currently in Place to Address Paperwork Concerns (Question #2)

Administrative Systems in Place to Address Concerns – Technology, management of information, forms
Providing 24/7 electronic access to data for educators and parents. Better management of information through cutting-edge technology. (However technology is only as good as the people who plan and implement it.) Use of standardized, computerized formats as a framework (e.g., forms on website). Use of universal forms (within and across states, across agencies).

Additional comments:

- Emerging "one record" possibilities – computerized databases that could contain all factual data about a student; could be used for personalization of records and generation of streamlined forms and processes.
- Interactive electronic IEPs that are projected on screen/wall during IEP meetings.
- Providing laptops for teachers that allow them to keep up with paperwork anywhere and without standing in line for a computer.

Administrative Systems in Place to Address Concerns – Building trust
Interactive web program and voice mail for teachers and parents provides after-hours access to information; increases parental satisfaction and involvement. Giving parents opportunities to provide meaningful input at evaluation meetings. Strong leadership at the building level – models that promote strong staff-staff and parent-staff collaboration. Conferring with multiple sources (including parents and state advisory panel) on how to streamline paperwork and processes.

Additional comments:

- Positive student profile, with contributions from the family (i.e., strengths, not only weaknesses).
- Spending time talking with families about student expectations.
- Student participation / self-determination.
- Young adult review of procedural safeguards.

Administrative Systems in Place to Address Concerns – Staffing, resources and support
Increasing overall staff levels and use of differentiated staffing: • Clerical support and use of paraprofessionals and interns to handle routine administrative tasks such as logistics, scheduling and copying. • Use of a "skilled process coordinator" position filled by an educator/therapist who processes all paperwork and keeps up with timelines. Compensation/release time for teachers in evaluation activities. Funding to pay teachers to attend IEP meetings outside of school hours and/or to pay substitutes teachers during classroom hours. Professional development: • National Staff Development Council adult learner standards. • Multiple media formats for information. • On-going, not just one time. • Include parents.

Additional comments:

- Training, training, training.
- Training is needed for general educators on when and how to refer.
- Cross-disciplinary professional development.
- "Lighten Your Load" – publication from ASHA available on-line at http://professional.asha.org/community/slp/paperwork.cfm

Administrative Systems in Place to Address Concerns – Instruction
Using the IEP as an instructional document: • Evaluation data can drive the IEP. • Instructionally based IEPs can address transition issues without additional paperwork. Providing enhanced instructional support for students without establishing IDEA eligibility particularly in the following areas: behavioral, organizational, speech/language and reading.

Additional comments:

- Applying universal design for learning (UDL) to textbooks and other instructional materials.

Essential Components/Functions of Paperwork (Question #3)

Essential Components/Functions of Paperwork - Instructional

General

- Provides parents with relevant progress reports; provides communication with parents; ensures "buy-in" of family.
- Ensures that all team members learn from each other and enhance instruction of student.
- Documents multiple viewpoints.

Evaluation and Eligibility

- Evaluations should inform instruction regardless of whether or not child is eligible for special education; evaluations that include child's functional capacity lead to goals and objectives for child.
- Re-evaluations ensure that students continue to have a need for special education and are not "warehoused" and forgotten.
- Provides for information sharing: communicating evaluation and assessment information to teachers and parents.

IEP

- Documents the instructional plan to address the student's needs beyond general education goals—individualized.
- Clarifies/documents the level at which a student is functioning.
- Documents accommodations needed, including those for participation in state-wide assessments.
- Specifies services the child will receive.
- Provides short-term objectives for general education teacher.
- Acts as a tool for helping the students with disabilities learn what other students are expected to learn.

Transition

- Helps parents understand transition from Part C to Section 619 and from Section 619 to Part B.
- Documents transition planning.
- Identifies services needed.
- Serves to hold providers accountable to the student.

Essential Components/Functions of Paperwork – Administrative and Compliance

- Creates a need for continuous planning and training of new/changing staff.
- Provides information needed for some state funding formulas that differ by disability category.
- Provides legal documentation and a compliance trail; it is legally necessary and professionally responsible.
- Documents time and attention.

- Provides for planning and documenting evaluation of all areas of suspected disabilities, eligibility process and placement decisions.
- Documents three-pronged eligibility: evaluation, informed clinical judgment, and parent report.
- Ensures that qualified personnel conduct evaluations.
- Provides access to Medicaid reimbursement.
- Provides for transfer of records with parent consent.
- Needed for ISFP transition planning.

Essential Components/Functions of Paperwork – Procedural Safeguards

- Protects civil rights of students with disabilities—essential in light of our country's history.
- Documents that parents are informed of their procedural safeguards.
- Helps guarantee/ensure a free appropriate public education (FAPE).

Evaluation of Paperwork Repetition and Redundancy (Question #4)

Due to lengthy discussions on other topics, the small groups did not engage in detailed discussions on this topic. However, the groups did identify a few national-level "indicators" that a paperwork problem exists, including:

- paperwork has been identified by national organization that represent special education teacher and service providers;
- paperwork has appeared as a re-occurring theme at national meetings; and
- sessions on compliance/legal issues/procedural safeguards are better attended at national conferences than instructionally related sessions.

The small groups discussed specific state-level efforts to examine the amount of paperwork and related concerns, including:

- surveying state Special Education Advisory Panels and Parent Advisory Councils;
- talking with case managers about paperwork issues (in a state with a birth through five system);
- examining financial implications;
- analyzing state IEP review processes;
- examining state statutory language for paperwork requirements; and
- fielding concerns that "bubble up" from local level.

The small groups discussed the following "indicators" that a paperwork problem exists at the district and local level:

- anecdotal reports from parents and staff;
- LEAs asking parent advocates to develop a concise parent brochure;
- LEAs evaluating redundancy and the need for new or revised forms; and
- the supply and demand for specific technology used to manage and reduce paperwork.

Recommendations

The following section summarizes the work of the participants in developing specific recommendations for reducing unnecessary paperwork in the context of improving results for children with disabilities. Based on the preceding small group activities, possible recommendations and other related issues were generated and discussed in each of the four small groups. Each small group was asked to present and post five to seven most promising recommendations to the large group. Recommendations presented did not necessarily represent consensus within the small group.

After the small group recommendations were presented, participants (excluding the NASDSE, FORUM and OSEP staff) were asked to use five green dots to indicate recommendations they "could support" and five red dots to indicate those they "could not live with." Participants were not obligated to use all their dots and it is clear that participants used more green than red dots. The purpose of voting with dots was to get a rough measure of the agreement within the group as a whole. These recommendations should be considered preliminary, as there was not time to fully discuss or refine them. Further discussion is needed in all areas to develop a more useful set of recommendations.

The recommendations "reported out" to the large group are presented in table format below by theme/topic and the number of positive or negative votes each recommendation received. Some of the recommendations are similar and/or overlapping; they are reported as presented by the small groups. An "additional recommendations" section follows each table; highlighting recommendations generated during the small group discussions, but not reported out to the larger group.

Recommendations: ***Reauthorization – Evaluation and eligibility***	**Positive**	**Negative**
Examine statutory language around the ability for schools to use credible evaluations provided from outside (e.g., medical evaluations provided by the parent).	3	0
Realign re-evaluations around the state's assessment schedule or natural transitions in child's life.	2	0
Eliminate triennial evaluations – timing of re-evaluation should occur at natural transition points for the child and determined by the IEP team; parent retains right to request more frequent re-evaluations.	2	0
Allow for differentiated evaluations.	1	0
Examine the feasibility and interest in national eligibility standards for each disability.	0	0
Include /examine language on functional behavior assessments (FBAs) as an initial evaluation issue (to reduce crisis-related paperwork down the road).	0	0

Additional recommendations:

- Ensure that evaluation and IEP development are the framework for instruction.
- Delete provision on consent for re-revaluation.
- Include the functional level of the child in all evaluations as well as suggested goals and objectives if the evaluator recommends services.
- Examine time teachers spend on evaluation activities, including scheduling issues and the definition of "qualified personnel" for evaluation.
- Decide when/if a full re-evaluation is needed at the annual review. A possible trigger of when to re-evaluate could be lack of adequate yearly progress.

Recommendations: ***Reauthorization – IEP document/process***	**Positive**	**Negative**
Permit IEP addendums at times other than annual review allowing parent and teacher to make changes other than placement.	6	0
Remove requirement for written notice of the IEP meeting.	2	4
Conduct annual IEP meetings on the IEP anniversary date and not all at the end of the school year.	2	1
Allow IEP team to decide when the review should be done for each student.	1	9
Permit differentiated IEPs.	1	6

Additional recommendations:

- Remove requirement of who "will" attend and change to "who has been invited" for IEP meeting notice.
- Ensure that the IEP includes at minimum: present levels of performance, goals and objectives, special ed and related services.
- Clarify and reinforce that IEP does not address methodology.
- Ensure that law allows for the use of truncated and differentiated IEPs (and evaluations) that would reduce paperwork for students who need limited/circumscribed/single service special education services (e.g., articulation, students with "other health impairments").
- Allow for the option of a multi-year IEP upon parent approval, with required progress reports and annual review.

Recommendations: ***Reauthorization – Transition***	**Positive**	**Negative**
Fully integrate post-secondary transition planning into the IEP process and plan – no separate forms.	3	0
Rescind the requirement for LEAs to have the sole responsibility when other agencies refuse to participate in planning or providing services for transition.	3	0
Study the advantages and disadvantages of maintaining or merging Part C with Part B and section 619 with a specific focus on the implications for families and service providers.	2	0

Additional recommendations:

- Examine link between Part B and Part C procedures.
- Move general supervision of Part C to SEA.
- Develop a birth to five system that becomes "early childhood program."
- Examine the paperwork requirements at transition times (Part C to B and Part B to post secondary) with the goal of streamlining paperwork (e.g., no need for different procedure at age 14 and 16).

Recommendations: ***Reauthorization – Procedural safeguards***	**Positive**	**Negative**
Provide complete copy of the procedural safeguards to parents at initial referral for evaluation, registration of a complaint, due process or if requested by parent. Otherwise provide a summary in plain language to the parent annually.	2	0
Decrease the frequency that notices must be sent to parents.	1	2
Provide procedural safeguards notices only annually and make these notices more widely available such as in libraries, PTIs, etc.	1	0

Additional recommendations:

- Clarify definition of "informed consent."
- Make available more conflict resolution approaches for staff and families.
- Provide abbreviated procedural safeguards notice to parents in their preferred format (e.g., e-mail, fax, web, phone, hard copy) and provide 24/7 access to full notice via Internet and telephone.

Recommendations: ***Reauthorization – Other***	**Positive**	**Negative**
Add language in IDEA that requires Medicaid to accept IDEA documentation as adequate, so there isn't additional paperwork burden.	8	0
Allow for flexibility in requirements at parent option: • type of communication (e.g., e-mail, fax, web, phone, hard copy); • amount of documentation; • option of a multiple-year IEP; • frequency of procedural safeguards notice; and meeting requirements.	7	8

Additional recommendations:

- Suggest amendment to Medicaid to address access to insurance for dually covered families and the need for consistent language related to "at no cost" principles.

- Remove the word "meeting" from the regulations so that portions of the IEP can be developed and reviewed prior to the face-to-face meeting. Parent training would be essential to implement this recommendation.
- Keep the issue of "equity" and civil rights in mind when considering paperwork concerns.

Recommendations: ***OSEP's Role***	**Positive**	**Negative**
Develop model forms/national examples:		
• Develop model forms and guidance that meet requirements of IDEA around the special education decision-making process. States and locals could adapt the models.	7	0
• Develop a national procedural safeguards document, model IEPs and other required forms that states could choose to use or explain why they need to have something different.	IEPs = 3 Other forms = 2	0
• Develop model forms for all OSEP-required paperwork (with an eye to using technology and system wide management information systems).	4	0
Develop or support the development of family-friendly documents, e.g., procedural safeguards.	3	0
Convene stakeholder groups to examine paperwork in transition from Part C to B and detail of regulations related to transition to post-secondary requirements.	3	0
Provide financial support for development of a state-mandated IEP form that would help in generating reports, transmitting documents from one LEA to another, etc.	2	0
OSEP and the Office of General Council should provide clear indicators of compliance to states.	2	0

Additional recommendations:

- Examine monitoring process and review of eligibility charts that are highly compliance focused and reinforce the need for documentation at state and local level.
- Provide incentives for using federal forms (e.g., money for technology) after developing model forms.
- Use Parent Training and Information Centers (PTIs) to collect information in a systematic manner from parents regarding paperwork issues.
- Establish taskforce to carefully examine regulations for sections that might be changed to reduce paperwork.

Recommendations: ***Connection to General Education***	**Positive**	**Negative**
Conduct national studies around IDEA/ NCLB implementation/impact indicators.	3	0
Connect IDEA and NCLB through a prevention model: • Make services available through a needs-based process resulting from NCLB, without IEP eligibility procedures. • Focus on needed short-term services such as speech and language, behavior services, reading services, etc. • Preserve children's rights and protections under IDEA. Use /blend IDEA and other funds to support these services.	3	0
Clarify pre-referral/referral as a general education activity connected to NCLB/ESEA.	2	0
Align progress reporting under IDEA with general education reporting procedures and requirements and emphasize standard reports to all parents.	0	0

Additional recommendations:

- Link IDEA paperwork requirements to NCLB to eliminate duplication and redundancy.

Recommendations: ***Job design, professional development, and capacity***	**Positive**	**Negative**
Encourage schools to review job descriptions and staffing patterns to assist teachers in handling the non-instructional aspects of IEP procedures with the goal of increasing teacher "time on task" with students.	4	0
Provide support for professional development by aligning financial resources with requirements for personnel development.	2	0
Align state licensing requirements to personnel competencies for IDEA.	1	0
Use Part D funds to: • Build management information systems at state and local levels – specifically expand funding for general supervision enhancement grants and make them non-competitive. • Train paraprofessionals and teachers on how to reduce and manage paperwork. • Increase the technological capacity in school districts (to improve communication options).	7 0 0	0 0 0

Additional recommendations:

- Provide on-going professional development for administrators in the areas of: effective management of school-wide scheduling/coordination and meetings, and effective communication with families.
- Maintain clear documentation using technology.
- Direct existing and potential sources of funds to support technology capacity specifically aimed at paperwork reduction (e.g., increase SEA set aside).

Closing Remarks

Bill East, Executive Director, NASDSE

Thanks to everyone for taking time to participate in this activity. You are all strong advocates for students with disabilities. During this meeting we have heard a lot about the importance of trust, personnel development, technology and communication. I believe it's time for parents and educators to take back control of education from the attorneys. I know there are concerns about flexibility, such as giving away anything that is a hard-won right. But, the reality today is we are going to need some targeted flexibility in order for people to want to join our field.

I appreciate the hard work you put into these recommendations. We will give thoughtful consideration to all of these suggestions. A lot of what we discussed is how can we better manage what we already do to reduce the burden of paperwork and create more time for teaching and learning. Many of the recommendations are common sense implementation suggestions as well as statutory changes. NASDSE will look at these recommendations and at ESEA to see if there are areas where we can decrease duplication, such as reporting and assessment requirements. We will also be reviewing our NASDSE Legislative Agenda in light of the recommendations discussed here. NASDSE will take this information and make it available for anyone who can use it to inform the reauthorization of IDEA. Thank you again for your participation.

Stephanie Lee, Director, OSEP

We really appreciate NASDSE's efforts to help us do our job better. I second Bill's comments about the importance of aligning No Child Left Behind (NCLB) and IDEA. For 27 years we've been talking about aligning general and special education, it's a problem at the national, state and local level. The implementation of NCLB gives us some opportunities to align better. The worst thing that could happen is to increase paperwork because of NCLB.

At OSEP we are working on a focused monitoring approach. Part of that concept is looking at outcome data (e.g., graduation rates, drop-out rates, least restrictive environment [LRE] rates) and focusing in areas that need improvement. It's very important that we look at NCLB data to see if it will provide some of the information we need on children with disabilities and to ensure that we align the data collection requirements in NCLB and IDEA as much as possible. We all need to pay more attention to NCLB.

I also want to thank each of you for your time. This has been very important work. I was interested in the larger themes you developed. Reauthorization is making the issues around paperwork urgent. Your discussions highlighted that these issues are very complex—they have to do with specific pieces of paper but also with working conditions and the ways that states and schools operate. Part of our challenge is to help identify evidenced-based best practices. It is impressive that the different groups here came up with similar ideas and creative suggestions. Thanks again for your time and keep sending in your ideas.

Appendix A

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Appendix A
Participant List

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Appendix B

Agenda

Appendix B
Agenda

Wednesday, June 12, 2002

6:00 p.m. **Buffet dinner**

6:30 **Welcome & purpose of the meeting**
Bill East, Executive Director, NASDSE

Greetings from the Office of Special Education Programs
Lou Danielson, Director, Research to Practice Division, OSEP
Stephanie Lee, Director, OSEP

Review of meeting packet and logistics
Joy Markowitz, Director, Project FORUM at NASDSE

7:00 **Participant introductions and responses to "homework" questions**
Marilyn Crocker, Facilitator

- *What is your one greatest concern/issue related to special education paperwork?*
- *What is one example of a novel, innovative or unusual process, procedure or practice that has reduced paperwork while improving results for children with disabilities?*

8:00 **Adjourn for evening**

Thursday, June 13, 2002

Breakfast for hotel guests served in the lobby beginning at 6:30 a.m.
Beverages will be available in the meeting room at 8:30 a.m.

9:00 a.m. **Opening, introduction of newcomers and review of day's agenda**
Marilyn Crocker, Facilitator

Brief discussion of previous evening's work
Marilyn Crocker, Facilitator

9:30 **Overview of data from SPeNSE**
Elaine Carlson, Senior Research Analyst, Westat
Pat Gonzalez, Education Program Specialist, OSEP

10:00 **State special education forms**
Eileen Ahearn, Senior Policy Analyst, Project FORUM

10:30 **Break**

10:45 **Discussion/questions about information distributed prior to meeting**
Marilyn Crocker, Facilitator

11:00 **Facilitated small group discussions**
(A prepared worksheet will guide the discussions)

- *What are the essential components/functions of paperwork?*
- *What paperwork is causing concerns?*
- *What administrative systems are in place to address paperwork concerns?*
- *How is paperwork repetition and redundancy evaluated?*

12:30 – 1:30 **Lunch** *(on your own)*

1:30 **Continue facilitated small group discussions**

3:00 **Break**

3:15 **Reporting out from small groups**
Marilyn Crocker, Facilitator

4:30 **Adjourn for day**

Friday, June 14, 2002

Breakfast for hotel guests served in the lobby beginning at 6:30 a.m.
Beverages will be available in the meeting room at 8:00 a.m.

8:30 a.m. **Opening and review of day's agenda**
Marilyn Crocker, Facilitator

Summary of previous day's work and comments from group
Marilyn Crocker, Facilitator

9:00 **Facilitated small group discussions**
(A prepared worksheet will guide the discussions)

- *Specific recommendations for reducing unnecessary paperwork in the context of improving results for children with disabilities*

10:15 **Break**

10:30 **Reporting out from small groups and refinement of recommendations**
Marilyn Crocker, Facilitator

11:30 **Closing statements**
Bill East, Executive Director, NASDSE
Stephanie Lee, Director, OSEP

12:00 **Adjourn**

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http://www.nasdse.org/forum.htm

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